

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

**FILED**  
**U.S. DISTRICT COURT**  
**AUGUSTA DIV.**

DUBLIN DIVISION

**2013 JUL 29 P 4:20**

HERMAN MAHONE,

Plaintiff,

v.

MS. HOLLOWAY, Unit Manager,

Defendant.

CV 311-101

CLERK S. B. White  
SO. DIST. OF GA.

**ORDER**

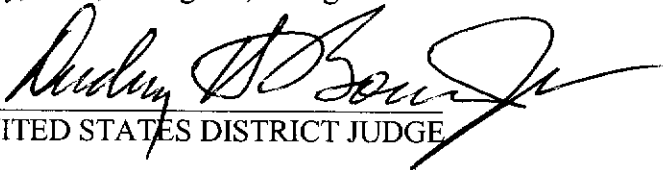
After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation ("R&R"), to which objections have been filed (doc. no. 54). On July 3, 2013, the Magistrate Judge entered a Report and Recommendation ("R&R") recommending summary judgment for Defendant because Plaintiff failed to exhaust his administrative remedies prior to initiating the instant lawsuit. (Doc. no. 52.) In his objections, which are without merit, Plaintiff restates his assertion that his attempts to grieve the claims at issue were rejected by prison officials – a matter which has already been addressed at length in the R&R – and otherwise continues to present arguments concerning the facts he initially alleged in his complaint. (See generally doc. no. 54.) Critically, Plaintiff has provided no new information or evidence that provides any grounds for deviation from the Magistrate Judge's recommendation.

As to Plaintiff's assertion that, as a result of his recent transfer to Johnson State Prison, he was only given four days to submit objections, that argument is likewise without merit. (Id. at 1.) From the outset of this case, the Court has made clear that it is Plaintiff's responsibility

to notify the Court of any change of address (doc. no. 5, p. 5), and the docket does not indicate that he made any effort do so following his recent transfer.

For the reasons set forth above, Plaintiff's objections are **OVERRULED**. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Defendant's motion for summary judgment is **GRANTED** (doc. no. 40), Plaintiff's motion for summary judgment is **DENIED** (doc. no. 46), a final judgment shall be **ENTERED** in favor of Defendant, and this civil action is **CLOSED**.

SO ORDERED this 29<sup>th</sup> day of July, 2013, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE